

**§ 137. Repealed. July 3, 1930, ch. 863, § 7, 46 Stat. 1018**

Section, R.S. §4835, related to application of Articles of War to inmates of National Home for Disabled Volunteer Soldiers.

**§§ 138, 139. Repealed. Pub. L. 85-857, § 14(4), (5), (26), Sept. 2, 1958, 72 Stat. 1269, 1270**

Section 138, acts Feb. 26, 1881, ch. 80, § 2, 21 Stat. 350; Aug. 7, 1882, ch. 433, § 1, 22 Stat. 322; Aug. 17, 1912, ch. 301, § 1, 37 Stat. 312, related to payment of pensions of inmates of National Home for Disabled Volunteer Soldiers.

Section 139, act July 1, 1902, ch. 1351, § 1, 32 Stat. 564, related to disposition of balance of pension money due deceased inmates of National Home for Disabled Volunteer Soldiers.

**EFFECTIVE DATE OF REPEAL**

Repeal effective Jan. 1, 1959, see section 2 of Pub. L. 85-857, set out as a note preceding Part I of Title 38, Veterans' Benefits.

**SUBCHAPTER V—BATTLE MOUNTAIN  
SANITARIUM RESERVE**

**§ 151. Battle Mountain Sanitarium Reserve; establishment; rights to lands, not affected**

There are reserved from settlement, entry, sale, or other disposal all those certain tracts, pieces, or parcels of land lying and being situated in the State of South Dakota and within the boundaries particularly described as follows: Beginning at the southwest corner of section 18, township 7 south, range 6 east, Black Hills meridian; thence east to the southeast corner of said section 18; thence south to the southwest corner of the northwest quarter of section 20; thence east to the southeast corner of the northeast quarter of section 21; thence north to the northeast corner of the southeast quarter of section 9; thence west to the center of section 7; thence south to the southwest corner of the southeast quarter of section 7; thence west to the northwest corner of section 18; thence south to the place of beginning, all in township 7 south, range 6 east, Black Hills meridian, in Fall River County, South Dakota: *Provided*, That nothing herein contained shall be construed to affect any valid rights acquired in connection with any of the lands embraced within the limits of said reserve.

(Mar. 22, 1906, ch. 1127, § 1, 34 Stat. 83.)

**§ 152. Name; control, rules and regulations**

Said reserve shall be known as the Battle Mountain Sanitarium Reserve, and shall be under the exclusive control of the Secretary of Veterans Affairs in connection with the Battle Mountain Sanitarium at Hot Springs, South Dakota, whose duty it shall be to prescribe such rules and regulations and establish such service as the Secretary may consider necessary for the care and management of the same.

(Mar. 22, 1906, ch. 1127, § 2, 34 Stat. 83; Pub. L. 102-54, § 13(i)(2), June 13, 1991, 105 Stat. 276.)

**AMENDMENTS**

1991—Pub. L. 102-54 substituted "Secretary of Veterans Affairs" for "Board of Managers of the National

Home for Disabled Volunteer Soldiers" and "as the Secretary may consider necessary" for "as they may deem necessary".

**§ 153. Perfecting bona fide claims to lands; exchange of private lands**

In all cases of unperfected bona fide claims lying within the said boundaries of said reserve, which claims have been properly initiated prior to September 2, 1902, said claims may be perfected upon compliance with the requirements of the laws respecting settlement, residence, improvements, and so forth, in the same manner in all respects as claims are perfected to other Government lands: *Provided*, That to the extent that the lands within said reserve are held in private ownership the Secretary of the Interior is authorized in his discretion to exchange therefor public lands of like area and value, which are surveyed, vacant, unappropriated, not mineral, not timbered, and not required for reservoir sites or other public uses or purposes. The private owners must, at their expense and by appropriate instruments of conveyance, surrender to the Government a full and unencumbered right and title to the private lands included in any exchange before patents are issued for or any rights attached to the public lands included therein, and no charge of any kind shall be made for issuing such patents. Upon completion of any exchange the land surrendered to the Government shall become a part of said reserve in a like manner as if they had been public lands at the time of the establishment of said reserve. Nothing contained in this section shall be construed to authorize the issuance of any land scrip, and the State of South Dakota is granted the privilege of selecting from the public lands in said State an equal quantity of land in lieu of such portions of section sixteen included within said reserve as have not been sold or disposed of by said State and are not covered by an unperfected bona fide claim as above mentioned.

(Mar. 22, 1906, ch. 1127, § 3, 34 Stat. 83.)

**§ 154. Unlawful intrusion, or violation of rules and regulations**

All persons who shall unlawfully intrude upon said reserve, or who shall without permission appropriate any object therein or commit unauthorized injury or waste in any form whatever upon the lands or other public property therein, or who shall violate any of the rules and regulations prescribed hereunder, shall, upon conviction, be fined in a sum not more than \$1,000, or be imprisoned for a period not more than twelve months, or shall suffer both fine and imprisonment, in the discretion of the court.

(Mar. 22, 1906, ch. 1127, § 4, 34 Stat. 83.)

**CHAPTER 4—SAINT ELIZABETHS HOSPITAL**

**SUBCHAPTER I—ESTABLISHMENT AND MANAGEMENT; PENSIONS, MONEYS, AND APPROPRIATIONS**

**Sec.**

161 to 168a. Repealed or Omitted.

168b. Computation of maximum amount available from Federal sources.

169 to 170. Repealed.

170a. Maximum amount available from Federal sources.

Sec.

171 to 185. Repealed.

SUBCHAPTER II—INMATES; BURDEN OF  
EXPENSES THEREOF; DETENTION OF INSANE

191 to 222. Repealed or Omitted.

SUBCHAPTER III—MENTAL HEALTH SERVICE  
FOR DISTRICT OF COLUMBIA

225. Findings and purposes.

225a. Definitions.

225b. Development of plan for mental health system for the District.

(a) Responsibility for mental health services; effective date; final system implementation plan; comprehensive mental health program.

(b) Mayor; preliminary system implementation plan; final implementation plan; submission to and review by Council and Congressional committees.

(c) Contents of system implementation plan.

(d) Consultation; labor-management advisory committee; public comments.

(e) Shift of selected program responsibilities and staff resources; commercial activity proposals; exemption of certain studies.

(f) Financial and physical plant audits; repairs and renovations; maintenance of facilities and infrastructure.

(g) Service coordination period; responsibility for providing services.

225c. Congressional review of system implementation plan.

225d. Transition provisions for employees of Hospital.

(a) Retirement opportunity.

(b) Specific number and types of positions; transfer to District employment.

(c) Retention list; reemployment priority list; right-of-first-refusal; retention registers; employee appeals.

(d) Federal agency reemployment priority list; right-of-first-refusal; Department of Health and Human Services; separation; maintenance of lists; District agency reemployment priority list; refusal of employment offer; acceptance of non-temporary employment.

(e) Contracts; mental health services; preferences.

225e. Conditions of employment for former employees of Hospital.

(a) Individuals accepting employment; without service breaks.

(b) Exemption from residency requirements.

(c) Compensation; work related injuries.

(d) Actions by District against individuals accepting employment.

(e) Commissioned public health service officers.

(f) Former patient employees.

225f. Property transfer.

(a) Authority of Secretary; exclusion of certain real property.

(b) Preparation of master plan; consultation; approval; property transfer; exclusion of Oxon Cove Park.

(c) Transfer of J.B. Johnson Building and grounds.

225g. Financing provisions.

(a) Authorization of appropriations.

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(b) Federal agencies; payments to District of costs for treatment of certain patients; responsibility of U.S. for service costs.

(c) Financial responsibility during coordination period.

(d) Shared responsibility for capital improvements.

(e) Unassigned liabilities; sole responsibility of Federal Government.

(f) Audit to determine liability of Federal Government for accrued annual leave balances; authorization of appropriations.

(g) Authority; District; collection of costs for mental health services.

(h) Responsibility of United States for certain claims.

225h. Buy American provisions.

(a) Applicability.

(b) Determination by Mayor.

(c) Report to Congress.

(d) "Buy American Act" defined.

(e) Restrictions on contract awards.

(f) Prohibition against fraudulent use of "Made in America" labels.

SUBCHAPTER I—ESTABLISHMENT AND  
MANAGEMENT; PENSIONS, MONEYS, AND  
APPROPRIATIONS**§ 161. Repealed. Pub. L. 98-621, § 10(a), Nov. 8, 1984, 98 Stat. 3379**

Section, R.S. § 4838; July 1, 1916, ch. 209, 39 Stat. 309; 1946 Reorg. Plan No. 3, § 201, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1098, related to establishment of Saint Elizabeths Hospital.

## EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98-621, set out as an Effective Date note under section 225 of this title.

**§§ 162, 163. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 632**

Section 162, R.S. § 4840; July 1, 1916, ch. 209, § 1, 39 Stat. 309, related to appointment of Board of Visitors for St. Elizabeths Hospital.

Section 163, R.S. § 4841, related to selection of president of Board of Visitors for St. Elizabeths Hospital.

**§§ 164, 165. Repealed. Pub. L. 98-621, § 10(a), Nov. 8, 1984, 98 Stat. 3379**

Section 164, R.S. § 4842; July 1, 1916, ch. 209, 39 Stat. 309; Reorg. Plan No. IV of 1940, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236, along with sections 162 and 163 of this title, provided for the appointment, powers and duties of Board of Visitors of Saint Elizabeths Hospital.

Section 165, R.S. § 4839; Feb. 2, 1909, ch. 58, § 1, 35 Stat. 592; Mar. 4, 1911, ch. 285, 36 Stat. 1422; Aug. 17, 1912, ch. 301, 37 Stat. 312; July 1, 1916, ch. 209, 39 Stat. 309; 1940 Reorg. Plan No. IV, § 11(a), eff. June 30, 1940, 5 F.R. 2422, 54 Stat. 1236; 1946 Reorg. Plan No. 2, § 9, eff. July 16, 1946, 11 F.R. 7875, 60 Stat. 1096; 1953 Reorg. Plan No. 1, § 5, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; June 6, 1972, Pub. L. 92-310, title II, § 228(b), 86 Stat. 207; Dec. 19, 1977, Pub. L. 95-215, § 9, 91 Stat. 1508; Oct. 17, 1979, Pub. L. 96-88, title V, § 509(b), 93 Stat. 695, related to superintendent, disbursing agent, and pension money of inmates of Saint Elizabeths Hospital.

## EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1987, see section 12(b) of Pub. L. 98-621, set out as an Effective Date note under section 225 of this title.